

PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number Q64991	
Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	Filed	
	09/935,568	August 24, 2001	
	First Named Inventor		
	Stefan Paul KELLER-TUBERG		
	Art Unit	Examiner	
	2663	Richard CHANG	
<p style="text-align: center;">WASHINGTON OFFICE 23373 CUSTOMER NUMBER</p>			
<p>Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a notice of appeal</p> <p>The review is requested for the reasons(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.</p> <p><input checked="" type="checkbox"/> I am an attorney or agent of record.</p> <p>Registration number 28,703</p> <p style="text-align: right;">_____/DJCushing/ Signature</p> <p style="text-align: right;">_____ David J. Cushing Typed or printed name</p> <p style="text-align: right;">_____(202) 293-7060 Telephone number</p> <p style="text-align: right;">_____ October 11, 2007 Date</p>			

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q64991

Stefan Paul KELLER-TUBERG

Appln. No.: 09/935,568

Group Art Unit: 2663

Confirmation No.: 8849

Examiner: Richard CHANG

Filed: August 24, 2001

For: MULTICASTING IN IP DISTRIBUTIVE NETWORKS

PRE-APPEAL BRIEF REQUEST FOR REVIEW

MAIL STOP AF - PATENTS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Pursuant to the Pre-Appeal Brief Conference Pilot Program, and further to the Examiner's Final Office Action dated July 11, 2007, Applicant files this Pre-Appeal Brief Request for Review. This Request is also accompanied by the filing of a Notice of Appeal.

Claims 13-26 are all the claims pending in the application. All claims stand rejected as unpatentable over Soni (USP 6,285,6744) in view of Gershon et al (USP 6,563,830). The deficiencies in the teaching of Soni and Gershon is discussed in detail at pages 2-6 of the Request For Reconsideration filed April 10, 2007.

The final Office action of July 11, 2007, has not refuted any of these arguments.

Respectfully submitted,

/DJCushing/

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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: October 11, 2007